

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EQUAL EMPLOYMENT,)	8:03CV165
OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
WOODMEN OF THE WORLD LIFE)	
INSURANCE SOCIETY AND/OR)	
OMAHA WOODMEN LIFE)	
INSURANCE SOCIETY,)	
)	
Defendant.)	
)	
<hr style="width: 30%; margin-left: 0;"/>)	
LOUELLA ROLLINS,)	
)	
Intervenor/ Cross-Plaintiff)	
)	
v.)	
)	
WOODMEN OF THE WORLD LIFE)	
INSURANCE SOCIETY AND/OR)	
OMAHA WOODMEN LIFE)	
INSURANCE SOCIETY,)	
)	
Cross-Defendant.)	

This matter is before the court on the report and recommendation of the bankruptcy court, Filing No. 118, suggesting that the referral to bankruptcy be withdrawn and that this case be stayed pending a hearing in the United States Bankruptcy Court for the Middle District of Pennsylvania on November 16, 2005, at which time the Pennsylvania bankruptcy court will consider relief from stays.

In general, the court is of the opinion that the Equal Employment Opportunity Commission is not subject to the bankruptcy filed by Louella Rollins. See *Equal Employment Opportunity Comm'n v. Rath Packing Co.*, 787 F.3d 318, 325-26 (8th Cir. 1986). However, because the United States Bankruptcy Court for the Middle District of

Pennsylvania is apparently going to consider motions regarding relief from stays within the week, the court shall stay all proceedings until the Pennsylvania bankruptcy court reviews these motions on November 16, 2005. Following such hearing and determination in the United States Bankruptcy Court for the Middle District of Pennsylvania, counsel for all parties shall file a short brief informing the court of the decisions of the bankruptcy court and, additionally, shall include suggestions on how the court should thereafter proceed in this case.

IT IS ORDERED that:

1. This case is withdrawn from the United States Bankruptcy Court for the District of Nebraska;
2. This case is stayed until November 16, 2005, or until such time as this court lifts the stay or until the United States Bankruptcy Court for the Middle District of Pennsylvania rules on the motions for relief from stay;
3. Within seven days of the ruling by the United States Bankruptcy Court for the Middle District of Pennsylvania, counsel for all parties shall file a short brief informing the court of the decisions of the bankruptcy court and, additionally, shall include suggestions on how the court should thereafter proceed in this case; and
4. The Clerk of Court shall send a copy of this Order to the United States Bankruptcy Court, Middle District of Pennsylvania, 1:05-bk04445-MDF.

DATED this 4th day of November, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge